

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1 - 56 were pending in the instant application at the time of the outstanding Office Action. Of these claims, Claims 1, 20, and 39 are independent claims; the remaining claims are dependent claims. All of the Claims currently stand rejected under 35 U.S.C. § 102(e) as being anticipated by Chuah et al. (hereinafter "Chuah").

Claims 17, 36, and 54 stand objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. This objection is respectfully traversed.

As best understood, in the present invention, each member of a possible coordinated pair, i.e., the resource and the coordinator, requests the other's QoS information for their own use in determining whether a pair will be established. These resource/coordinator pairs are exemplified in the instant invention, and claimed in the dependent claims of the invention. The instant invention integrates heterogeneous processing systems through a communication process between components of the two systems.

This is in stark contrast to the workings of Chuah. As best understood, Chuah modifies a tunneling protocol to establish multiple QoS parameters. There is no teaching or suggestion of a resource component or a coordinator in Chuah. In fact, the outstanding Office Action asserts such a lack, stating that a requesting node and a serving node of the tunnel read upon a resource component and a coordinator, and further upon the embodiments of these components in the instant invention. It is respectfully submitted that there is a distinct and well-known difference in the art between a node in a network and a resource component or coordinator such as a database manager or a transaction manager. Establishing a Virtual Private Network between two nodes utilizing a modified tunnel is in stark contrast to the instant invention, in which a communication method is established to allow different systems to communicate with each other.

Further, the outstanding Office Action asserts that the resource component and coordinator "do not disclose any specific functionality further limiting the invention of the Applicant". Applicant respectfully disagrees. Applicant has invented, and claimed, a communication method between two systems, and the resource component, coordinator, and their claimed embodiments are necessary and useful parts of the invention that limit between what parts of the systems this communication method may be carried out. By stating that this communication method may be carried out between an ERP system and a transaction manager, for instance, the invention is further limited from any resource component or coordinator. Thus, it is respectfully submitted that the resource component and coordinator of the instant invention is a necessary and limiting factor of the instant invention. It is further respectfully submitted that Chuah fails to teach the limitations of

the instant invention, because Chuah fails to disclose any teaching or suggestion of a resource component or coordinator.

Chuah fails to teach, disclose, or even suggest the presently claimed invention's "resource component" and "coordinator" and, therefore, the present invention is not anticipated by Chuah. Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction." W.L. Gore & Associates, Inc. v. Garlock, 721 F.2d 1540, 1554 (Fed. Cir. 1983); see also In re Marshall, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

In view of the foregoing, it is respectfully submitted that amended independent Claims 1, 20, and 39 fully distinguish over the applied art and are thus allowable. By virtue of dependence from what is believed to be allowable independent Claims 1, 20, and 39, is respectfully submitted that Claims 2-19, 21-38, and 40-56 are also presently allowable.

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In summary, it is respectfully submitted that the instant application, including Claims 1-56, is in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stanley D. Ference III", written over a horizontal line.

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